

**FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MOSES PEREZ and DEE PEREZ,

Plaintiffs,

v.

K&B TRANSPORTATION, INC. and KIARA
WHARTON,

Defendants.

Case No. 1:17-cv-02610

MOTION TO COMPEL

NOW COME the Plaintiffs, MOSES and DEE PEREZ, by and through their attorneys COGAN & POWER, P.C., and move the Defendants, K&B TRANSPORATION and KIARA WHARTON, to produce the materials requested in the deposition rider to Jonathan Citow, M.D. In support thereof the Plaintiffs state as follows:

1. The Plaintiff served on the Defendants a deposition notice and deposition rider for the Defendants' expert, Dr. Jonathan Citow, on April 8, 2019. A copy is attached hereto as Exhibit 1.
2. Defendants' expert, Dr. Jonathan Citow's, deposition proceeded on May 29, 2019. At the time of his deposition Dr. Jonathan Citow had neither produced any of the requested materials nor brought them to his deposition.
3. On May 29, 2019, Counsel for the Plaintiffs sent a correspondence to Counsel for the Defendants requesting the materials that were previously requested in the deposition rider and at the deposition of Dr. Citow. A copy of that correspondence is attached hereto as Exhibit 2.
4. On June 19, 2019, Counsel for the Plaintiffs followed up the prior correspondence again requesting the documents. A copy of that c correspondence is attached hereto as Exhibit 2.

5. On June 21, 2019, Counsel for the Defendants advised that they were working on the materials and they would be providing to Counsel for the Plaintiff the following week. A copy of that correspondence is attached hereto as Exhibit 3. To date, these materials have not been produced.

6. The Plaintiffs respectfully request that this Court order the Defendants to produce these materials in the next two business days or to bar Dr. Citow from testifying at trial.

WHEREFORE, the Plaintiffs MOSES and DEE PEREZ, by and through their attorneys COGAN & POWER, P.C., move this Court to order the Defendants, K&B TRANSPORTATION and KIARA WHARTON, to produce the materials requested in the deposition rider to Jonathan Citow, M.D.

/S/ Sara M. Davis
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